BILL NO. Z-80-07-10

ZONING MAP ORDINANCE NO. Z-

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. I-27.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-3-B District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana 1974; and the symbols of the City of Fort Wayne Zoning Map No. I-27, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to-wit:

The East 66.0 feet of Lot #34 in Liberty Gardens Addition as recorded in Plat Book #8, page 61, in the Office of the Recorder of Allen County, Indiana.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

COUNCILMAN

APPROVED AS TO FORM AND LEGALITY JULY 3, 1980.

JOHN E. HOFFMAN
City Attorney

Read the first time in full and on motion by Eisbart, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee Plan (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, ~~at the Council Chambers, City-County Building~~, Fort Wayne, Indiana, on ~~_____~~, the ~~_____~~ day of ~~_____~~, 19____, at ~~_____~~ o'clock ~~____~~ M.,E.S.T.

DATE: 7-8-80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Eisbart, seconded by Gia Quinta, and duly adopted, placed on its passage. ~~PASSED~~ (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	_____	8	_____	1	_____
BURNS	_____	✓	_____	_____	_____
EISBART	_____	✓	_____	_____	_____
GiaQUINTA	_____	✓	_____	_____	_____
NUCKOLS	_____	✓	_____	_____	_____
SCHMIDT, D.	_____	✓	_____	_____	_____
SCHMIDT, V.	_____	✓	_____	_____	_____
SCHOMBURG	_____	✓	_____	_____	_____
STIER	_____	_____	_____	✓	_____
TALARICO	_____	✓	_____	_____	_____

DATE: 9-23-80

_____
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19____.

ATTEST: (SEAL)

_____ _____
CHARLES W. WESTERMAN - CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M.,E.S.T.

_____
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this _____ day of 19____, at the hour of _____ o'clock ____ M.,E.S.T.

_____
WINFIELD C. MOSES, JR.
MAYOR

BILL NO. Z-80-07-10

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN ORDINANCE amending the City of Fort Wayne Zoning Map No. I-27

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO NOT PASS.

BEN EISBART, CHAIRMAN

JOHN NUCKOLS, VICE CHAIRMAN

JAMES S. STIER

SAMUEL J. TALARICO

DONALD J. SCHMIDT

5-23-80
DATE

CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 8, 1980, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-07-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 18, 1980;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 25, 1980.

Certified and signed this
28th day of August 1980.

Joyce Schlatter

Joyce Schlatter
Secretary

BUSINESS FORM—PRODUCT OF WILSON JONES

GrayLine

RECEIPT

Date June 13 1980 No. 10999

Received From Daniel + Charlene Wilson

Address 6810 1/2 Old Trail Road

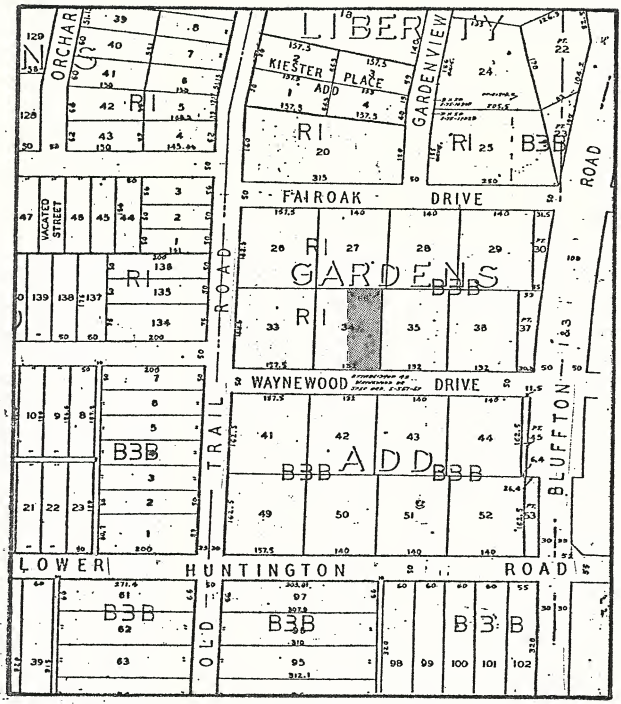
fifty 00/100 Dollars $ 50.00

For rezoning R-1 to R-3

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	✓	
BALANCE DUE			MONEY ORDER		

By Pat B.

CK 130



REQUEST TO REZONE FROM R1 TO B3B ZONING

Z-80-07-1C

Map No I-27

N.

PREPARED BY RK

DATE 6-16-80

CONSENT TO AND

APPROVAL OF ZONING CHANGE

Fort Wayne, Indiana
May 31, 1980

TO: THE CITY PLAN COMMISSION OF
THE CITY OF FORT WAYNE, INDIANA

I/We, adjoining property owners, who are interested in and affected by the proposed zoning change for the use of the following-described real estate, to-wit:

> The East 66.0 feet of Lot #34 in Liberty Gardens Addition as recorded in Plat Book #8, page 61, in the Office of the Recorder of Allen County, Indiana.

which property is owned by Daniel K. Wiles and Charlene K. Wiles, husband and wife, of Fort Wayne, Indiana, do hereby give our consent to and approval of the zoning change from "R-1" to a business use of "B-3-B".

I/We do give our consent to and approval of said change since said property is adjacent to other property now being used as "B-3-B" classification; and further, we do not believe such change is detrimental to us or to the surrounding property.

WHEREFORE, the undersigned respectfully request that the City Plan Commission of the City of Fort Wayne, Indiana, grant the zoning change from a "R-1" District to a "B-3-B" District.

Name	Address and Brief Legal Description From Tax Duplicate	Present Use
1. C. W. Mrongelle DDS	2409 Fairoak Dr. Fort Wayne, Indiana	B-3-B
	Lot 28 Liberty Gardens Addition	
2. Lola P. Kunneke	2412 Waynewood Drive Fort Wayne, Indiana	B-3-B
	Lot 35 Liberty Gardens Addition	

Name	Address and Brief Legal Description From Tax Duplicate	Present Use
Mr & Mrs Jesse B Jackson	2511 Fairoak Dr. Fort Wayne, Indiana Lot 27 Liberty Gardens Addition	R-1
3.		
4. Mrs Geo Loercher	2407 Fairoak Dr. Fort Wayne, Indiana Lot 29 Liberty Gardens Addition	B-3-B
5. Rev Herman H Gaertner	2416 Lower Huntington Rd. Fort Wayne, Indiana Lots 43 and 44 Liberty Gardens Addition	B-3-B
6.		
7.		

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

THIS IS TO BE FILED IN DUPLICATE

DATE FILED _____

INTENDED USE _____

I/We Daniel K. Wiles and Charlene K. Wiles
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an B-3-B District the property described as follows:

The East 66.0 feet of Lot #34 in Liberty Gardens Addition as recorded in Plat Book #8, page 61, in the Office of the Recorder of Allen County, Indiana.

(Legal Descrption) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
Daniel K. Wiles	6810 Old Trail Rd., Fort Wayne, IN 46809	Daniel K. Wiles
Charlene K. Wiles	6810 Old Trail Rd., Fort Wayne, IN 46809	Charlene K. Wiles

(If additional space is needed, use reverse side.)

Legal Description checked by _____.

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinan being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whic it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matt for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

(Name)	(Address & Zip Code)	(Telephone Number)
Glenn W. Bordner, Lawyer	1907 Fort Wayne National Bank Bldg. Fort Wayne, Indiana 46802	219/424-5509

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearir approximately ten (10) days prior to the meeting.

E-27

Legal Description of property to be rezoned.

Owners of Property

(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

28 August 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held August 25, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-80-07-10

2. From R-1 to B-3-B

3. Intended Use: No intended Use Given

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reason:

   a. The Commission found this block to contain well maintained residential homes. The Site inspection also revealed that two single family homes exist on Lot #35, two home on the west half of Lot #34 and homes on Lot #33. We feel that because the predominant use of this block is well maintained residential, that this request should be denied.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten

Gary F. Baeten
Senior Planner

GFB:pb

AN EQUAL OPPORTUNITY EMPLOYER

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment 3-80-07-10

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE The East 66.0 feet of Lot #34 in Liberty Gardens Addition.

EFFECT OF PASSAGE Property is now zoned R-1 - Single Family Residential.
Property will become B-3-B - General Business.

EFFECT OF NON-PASSAGE Property will remain R-1 Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) Regulations